



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jae-Ryong Park

Serial No. 10/751,466

Group Art Unit: 1746

Confirmation No. 2366

Filed: January 6, 2004

Examiner: Rita Ramesh Patel

For: DRUM WASHING MACHINE

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is responsive to the Office Action mailed January 19, 2007, having a shortened period for response set to expire on February 19, 2007, the following remarks are provided.

I. Provisional Election of Claims Pursuant to 37 CFR §1.142

The Applicants' provisionally elect **Group I, claims 1-22** in response to the preliminary restriction requirement set forth in the Office Action.

II. Applicants' Traverse the Requirement

Insofar as Group II is concerned, it is believed that claims 23-27 are so closely related to elected claims 1-22 that they should remain in the same application. The elected claims 1-22 are directed to a drum washing machine and the non-elected claims 23-27 are directed to a method of washing laundry in a drum washing machine. There have been no references cited to show any necessity for requiring restriction and, in fact, it is believed that the Examiner would find references containing both method and product claims in the same field of technology. While it is noted that the Examiner has identified different classifications, it is believed that classification is not conclusive on the question of restriction.

It is believed, moreover, that evaluation of both sets of claims would not provide an undue burden upon the Examiner at this time in comparison with the additional expense and delay to the Applicant in having to protect the additional subject matter recited by the Group II claims by filing a divisional application.

MPEP §803 sets forth the criteria for restriction between patentably distinct inventions. (A) indicates that the inventions must be independent (see MPEP §802.01, §806.04, §808.01) or distinct as claimed (see MPEP §806.05-806.05(i)); and (B) indicates that there must be a serious burden on the Examiner if restriction is required (see MPEP §803.02, §806.04(a)- §806.04(i), §808.01(a) and §808.02). The Examiner has not set forth why there would be a serious burden if restriction is required.

III. Conclusion

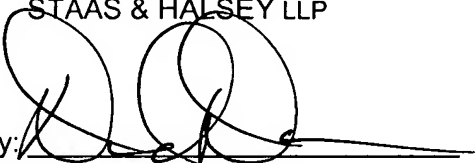
Upon review of references involved in this field of technology, when considering that the method recited by the Group II claims is directed to washing laundry in a drum washing machine, and elected claims 1-22 are directed to a drum washing machine, and when all of the other various facts are taken into consideration, it is believed that upon reconsideration of the Examiner's initial restriction requirement, all of the pending claims should be examined in the subject application.

In view of the foregoing amendments, arguments and remarks, all claims are deemed to be allowable and this application is believed to be in condition for allowance.

If any further fees are required in connection with the filing of this Amendment, please charge the same to our deposit account number 19-3935.

Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney.

Respectfully submitted,
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By: 
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Date: 2/6/2007

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